

THE HARAH ALLOCATION PROCESS FOR RURAL EXCEPTION SITES

S106 Agreement Local Connection Criteria

Upon completion of the development and at all times thereafter each dwelling shall be allocated to a person who

- a) demonstrates a housing need and is unable to afford suitable accommodation on the open market within the Parish of X; and
- b) has a strong local connection (as hereinafter defined) with the said Parish of X

Housing Need shall be taken to be being persons eligible in accordance with the criteria for the local authority housing registers or anyone else that the local authority determines as being in need of such accommodation

A person shall be taken to have a strong local connection if he or she satisfies any one or more of the following criteria:

- (i) he or she is ordinarily resident in the Parish at the date of allocation
- (ii) he or she was previously ordinarily resident in the Parish prior to the date of allocation and has family who ordinarily reside there
- (iii) he or she has a demonstrable need to live in the Parish by reason of:
 - his/her current employment in the Parish
 - his/her taking up permanent employment in the Parish
- (iv) he or she has a demonstrable need to reside in the Parish either to support or to be supported by another member of his/her family who ordinarily reside in the Parish at the date of allocation

A person shall be taken to be a member of another's family if he or she is the spouse civil partner mother father sister brother daughter son grandparent or grandchild of that other person or if he or she ordinarily resides with that other person as husband or wife or partner without being legally married to that person

NB Some local authorities within the HARAH partnership have more specific local connection criteria (see footnote for details)

If within two weeks of any dwelling becoming available for occupation (whether upon practical completion of the Development or any time thereafter) any such vacancy arising cannot be filled in accordance with the foregoing provisions hereof

(consultation having first taken place with the Local Authority's Head of Housing)

then any such vacant dwelling shall be allocated (but only with the prior written consent of the Head of Housing) to a person who

- a) demonstrates a housing need and is unable to afford suitable accommodation on the open market within the Parishes of Y, Z (to be agreed with X Parish Council & Ward Member) and
- b) has a strong local connection (as hereinafter defined) with any of those Parishes

If within one month of any dwelling becoming available for occupation (whether upon practical completion of the Development or any time thereafter) any such vacancy arising cannot be filled in accordance with the foregoing provisions hereof

(consultation having first taken place with the Local Authority's Head of Housing)

then any such vacant dwelling shall be allocated (but only with the prior written consent of the Head of Housing) to a person who demonstrates a housing need and is unable to afford suitable accommodation on the open market within the administrative area of the Local Authority and who is ordinarily resident within that area.

The Allocation Process

Applications to the Housing Register

- All households who registered an interest in affordable housing on the village housing needs survey will be contacted to advise that they need to complete the relevant Local Authority housing application form and/or HomeBuy Agent application form for shared ownership if applicable. (Existing Housing Association tenants may need to register on a separate transfer register dependant upon the Local Authority's procedure).
- The Rural Housing Enablers will advise the Parish Council of the need to encourage local people to register a Local Authority Housing and/or Zone Agent Application form and to put such notices in the Parish Magazine and notice boards.
- Application forms requests the applicant(s) local connection details.
- The Local Authority assesses the application – an applicant must meet the eligibility criteria of the Local Authority as set out in their published allocations policy. If a local connection is identified a further form is sent to the applicant asking for full details of their connection, family connection and employment connection.

Pre-Nomination

- Four months prior to completion of a new scheme the Local Authority will advise the Parish Council and Ward Member that nominations are soon to be sought and they should encourage households to register a housing application if they have not already done so.
- Hyde will advise the Parish Council and Ward Member immediately of any subsequent vacancies advising that nominations are soon to be sought and they should encourage households to register a housing application if they have not already done so.

Points based allocations

- Three months prior to completion of a new scheme the Local Authority will send a letter to all applicants who are requesting a property in the area asking them to supply all details of their local connection, if this has changed since their application.

Choice based lettings

- Where a Local Authority operates a choice based lettings system, the properties will be advertised stipulating the details of the local connection criteria.
- Shared ownership properties will be advertised advising interested eligible persons to apply through the HomeBuy Agents.

Nominations to Properties

- When the nominations are requested by Hyde, the Local Authority will create a list of all applicants who have advised they have a local connection with the relevant area.
- The Local Authority will then look at the applicant(s) local connection and if further information is required this will be obtained via a telephone call to the applicant or a home visit. Where the applicant is claiming a connection by way of existing or previous residency or employment, documentary evidence will be requested to support the application.
- The nominations will then be made in accordance with the criteria in the s106 agreement (detailed above) within 10 working days.
- Where applicants have met the local connection criteria, they will then be prioritised according to their housing need (based on the Local Authority points or banding system) and community need (if applicable) and in the case of shared ownership, the ability to obtain the required mortgage.

Applications for shared ownership

- Applications for shared ownership must be made through the Housing Corporation appointed HomeBuy Agent. For Hampshire this is Swaythling Housing Society - www.HomesinHants.co.uk.
- The HomeBuy Agent assesses the application – an applicant must meet the eligibility criteria of the Zone Agent as set out in their published policy.
- When a scheme is due to be marketed the Homebuy agent will contact all applicants on its database asking for them to register an interest and give their local connection information.
- If a local connection is identified a further form is sent to the applicant asking for full details of their connection, family connection and employment connection.
- Hyde will advise the HomeBuy Agent and the Local Authority that nominations are sought for a rural exceptions scheme.
- The HomeBuy Agent will provide a list of eligible applicants to the Local Authority within 2 working days to verify their local connection criteria as detailed in the nomination process above.
- The Local Authority will then provide a list of verified eligible applicants to Hyde Housing Association within 8 working days.
- In the event of there being no suitable nominee with a local connection with the Parish or specified surrounding Parishes for any shared ownership properties, prior to seeking nominees from the wider administrative area, Hyde will consider converting the tenure to be for rent with the approval of the Local Authority and Housing Corporation subject to housing needs and funding. When the tenancy comes to an end, Hyde will consider reverting the property to shared ownership sale subject to housing needs and Local Authority and Housing Corporation approval.

Post Nomination

- Hyde Housing Association will advise the Local Authority and the HomeBuy Agent (if applicable) of the successful applicants and their local connection information.
- Should the ward member or Parish Council request it anonymous information will be provided setting out the local connection of the successful applicants.

Declarations

- All applicants for properties will need to provide a signed declaration that the information they have provided is correct. If this information is subsequently found to be false the applicant will be liable to have legal action taken against them.

Subsequent lettings and sales

- The above process applies to both first and all subsequent lettings and sales on HARAHA schemes.
- HARAHA schemes will be identified by a flagging system by Hyde Housing Association when asking for nominations, and this information will be given to the Local Authority and the HomeBuy Agent (if applicable).
- The Local Authority will hold a file of all the s106 agreements relating to each exception site scheme in order to confirm the specific local connection criteria and Parishes that are applicable. This will be checked for every rural vacancy.

Footnote

New Forest District Council & National Park Local Connection Criteria

The Affordable Housing Dwellings shall not be occupied or permitted to be occupied except by Eligible Persons nominated by the Council and selected in the following order of priority:-

- i) persons who live or have their workbase in the Parish of X and who have lived or had their workbase there for at least 10 years or who have lived in the Parish for at least 10 years previously or Key Workers who could perform or continue to perform an essential service for the people of the Parish if they were provided with an Affordable Housing Dwelling within the Parish
- ii) persons who live or have their workbase in the Parish and have lived or had their workbase there for at least 5 years or who have lived in the Parish for at least 5 years within the previous 15 years or whose parents siblings or adult children live in the Parish and have done so for at least 10 years
- iii) persons who live or have their workbase in the Parish and have lived or had their workbase there for at least 2 years or who have lived in the Parish for more than 2 years within the previous 15 years or whose parents siblings or adult children live in the Parish and have done so for at least 5 years
- iv) persons who have lived in the Parishes of Y,Z and have done so for 2 years or more
- v) persons who have lived in the Councils area and have done so for at least one year immediately prior to the nomination
- vi) other Eligible Persons